

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

DONALD WAYNE BUSBY,

§

Plaintiff,

§

VS.

§

NO. 3:12-CV-3631-D

DALLAS COUNTY SHERIFF'S DEP'T,

§

Defendant.

§

**ORDER AND**  
**ORDER OF RE-REFERENCE**

After making an independent review of the pleadings, files, and records in this case, and the findings and recommendation of the magistrate judge, the court concludes that the findings and recommendation are correct. It is therefore ordered that the findings and recommendation of the magistrate judge are adopted.

Accordingly, the claims of plaintiff Donald Wayne Busby against the Dallas County Sheriff's Department are dismissed with prejudice. This case is re-referred to the magistrate judge for additional screening of plaintiff's excessive force claim against the unnamed detention officer, pursuant to the recommendation of the magistrate judge dated September 26, 2012.

**SO ORDERED.**

October 31, 2012.

  
SIDNEY A. FITZWATER  
CHIEF JUDGE